

1 HB122
2 79113-1
3 By Representative Ward
4 RFD: Judiciary
5 First Read: 10-JAN-06
6 PFD: 01/05/2006

SYNOPSIS: Under existing law, a presentence investigation report is only required under certain circumstances for defendants charged and convicted of a felony and these reports can be in electronic or written form.

This bill would require that either a presentence or a postsentence investigation report be filed on every defendant convicted of a felony offense and that such report be in an electronic format.

A BILL
TO BE ENTITLED
AN ACT

To amend Section 13A-5-5, Code of Alabama 1975, relating to presentence investigation reports; to require that either a presentence or postsentence investigation report be completed in all felony cases and filed in an electronic format.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. Section 13A-5-5, Code of Alabama 1975, is
3 amended to read as follows:

4 "§13A-5-5.

5 "There shall be completed a presentence or
6 postsentence investigation report in all felony cases filed
7 after the effective date of this amendatory act and such
8 report shall be in an electronic format. On motion of the
9 court or written motion of either party, the court shall
10 require a written report of a presentence investigation of a
11 defendant convicted of a felony, and such defendant shall not
12 be sentenced or otherwise disposed of before such report has
13 been presented to and considered by the court."

14 Section 2. This act shall become effective
15 immediately following its passage and approval by the
16 Governor, or its otherwise becoming law.